



Town of Oriental
Application for Special Use
Permit- Fee \$350.00

Date Received: 12/18/19 Fee Paid: \$350 Permit #:

APPLICANT: The New Village Brewery
ADDRESS: 702 Broad St. Oriental NC 28571
PHONE: 249-6132 CELL: FAX: EMAIL: TheNewVillageBrewery@gmail

PROPERTY OWNER: Frank & Lili Bacon
ADDRESS: P.d. Oriental NC 28571
PHONE: CELL: FAX: EMAIL: Frank.Bacon_FB@gmail.com

PROJECT CONTACT PERSON: Frank Bacon
ADDRESS: 304 Whittaker Pt. Rd. Oriental NC 28571
PHONE: CELL: FAX: EMAIL:

PHYSICAL LOCATION: 702 Broad St. Oriental N.C. 28571
GMO ZONE OF THE PROPERTY: MU

INTENDED USE OF PROPERTY:
PREVIOUS USE OF PROPERTY:

DOES THIS PROJECT INVOLVE A CHANGE IN USE? YES ___ NO X
IF YES, DESCRIBE HERE:

DOES THIS PROPERTY INVOLVE A COMBINATION OF USES? YES ___ NO X
IF YES, DESCRIBE HERE:

HAS THIS LOT BEEN REPLATTED IN LAST 12 MONTHS? YES (NO) IF YES, WHEN?

NO. PARKING SPACES AVAILABLE: 8
SQUARE FOOTAGE OF STRUCTURE: 600 SQUARE FOOTAGE USED FOR BUSINESS: 600 NUMBER OF PARKING SPACES REQUIRED: WILL OFFSITE PARKING BE UTILIZED? YES ___ NO ___ IF YES, WHERE AND NUMBER OF SPACES?

WILL SIGNS BE ERECTED OR MODIFIED? No If yes, please complete a sign permit application.

DOES THIS USE COMPLY WITH COVENANTS/HOA RESTRICTIONS? N/A (attach copy)

ATTACHMENT(S): Change of Use Form Sign Permit Site Plan or Survey
Parking Landscape Plan Other: Letter

I certify that all of the above information and that contained in the attachments hereto is true and accurate to the best of my knowledge and that all work will comply with state and local codes, laws and ordinances. The Town of Oriental will be notified of any modifications to the approved plans prior to the change being done. I understand that any place modifications may require a new application in compliance with the Town of Oriental, Growth Management Ordinance, and failure to report such changes may result in permit revocation. I certify that I am the property owner or that I am authorized to act on the property owner's behalf.

Frank Bacon
Applicant Signature

12-18-19
Date Signed

Frank & Lili Bacon
The New Village Brewery, LLC
PO Box 637 (702 Broad St.)
Oriental, NC 28571

12/17/2019

Town of Oriental, Planning Board
c/o Diane H. Miller, Town Manager/Land Use Administrator
PO Box 472
Oriental, NC 28571

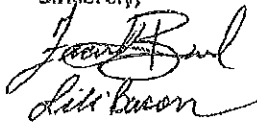
Dear Chairman Aeschleman,

There are two buildings on the Brewery Premises: Building #1 (where the Taproom is located) and the smaller Building #2, which abuts the parking area. This letter is in regard to a project proposed for Building #2, which is a 600 sq. ft. one level out-building on a concrete slab foundation with wood frame construction and a galvanized metal roof. It is part of the brewing premises and has been used for storage of empty kegs, milling and storing grains for brewing. Building #2 sustained roof damage and flooding during Hurricane Florence, and again during Hurricane Dorian. The building is now unsafe and is unusable for our business. Because of parking requirements, we cannot move the building and still remain compliant with the required # of spaces. If we leave it as is, it will not only be un-usable to our business, but also continue to deteriorate and become more of an eye-sore for our town, and in particular our neighbors.

In accordance with GMO Section 194.2, our proposal is to tear down the existing structure and rebuild it in a way that increases its conformance with the GMO and county building code, provides for increased sound dampening, and ensures the structure can remain a safe and viable place for our production to continue well into the future. The building sits at just 7 ft. above sea level, which is not compliant with zoning regulations that now require at least 9 ft. above sea level. We are proposing to demolish the current building and rebuild raising the foundation to 9.5 ft above sea level and increasing the current eave height of 9ft to 13ft. Currently, the building has a roof pitch of 1/12, and the new pitch will be adjusted to meet GMO requirements for 4/12 minimum pitch. We are not requesting a change in use because of any change to the business we operate, nor does our plan involve any change to the square footage or the building material of the structure.

In light of how critical this structure is for our brewery's production, we ask the Planning Board to consider (as expeditiously as possible) our application for an SUP for this project, and to make a recommendation to the Board of Commissioners to schedule a Public Hearing as required.

Sincerely,



Frank & Lili Bacon

The New Village Brewery, LLC

PLANNING BOARD RECOMMENDATION:

The Planning Board recommends approval of the permit, according to the following:

194.2 If a structure located on a lot where a nonconforming situation exists is damaged to an extent that the costs of repair or replacement would exceed fifty percent of the appraised valuation of the damaged structure, then the damaged structure may be repaired or replaced only in accordance with a special use permit issued pursuant to this section. This subsection does not apply to structures used for single-family residential purposes (including manufactured homes), which structures may be reconstructed pursuant to a land use permit just as they may be enlarged or replaced as provided in Subsection 193.5 (Extension or Enlargement of Nonconforming Situations).

According to Section 194, THESE are the questions to be asked:

194.4 The Town Commissioners shall issue a special use permit authorized by this section if they find that, in completing the renovation, repair or replacement work:

194.4.1 There is no increase in the total amount of lot area devoted to the nonconforming use; and

194.4.2 There is no greater nonconformity with respect to dimensional restrictions such as setback requirements, height limitations, density requirements or other requirements such as parking, loading and landscaping requirements; and

194.4.3 There is no significant adverse impact on surrounding properties or the public health or safety.

194.5 In issuing a special use permit, the Town Commissioners may affix other reasonable and appropriate conditions such as, but not limited to, landscaping and buffering to separate dissimilar uses or to screen parking and loading areas.

Additional evidence may be presented to the Board of Commissioners at their Public Hearing.

Stan Aeschleman, Chair, Oriental Planning Board

Town of Oriental

Statement of Zoning Consistency with Adopted Plans

The Mayor and Commissioners of the Town of Oriental find the action to amend Land Use Ordinances in the Growth Management Ordinance as presented in the public interest, and consistent with the Town's Land Use Plan, CAMA Plan, and other long range adopted plans in that:

- (1) The proposed amendments are consistent and not in conflict with the existing development standards in Article IV of the GMO.
- (2) The Planning Board is permitted by GMO Section 20.1.7.1.1 to acquire and maintain, in current form, basic information and material as necessary regarding past trends, present conditions, and forces at work which may cause change in these conditions.
- (3) The Planning Board is permitted by GMO Section 20.1.7.1.2 to identify needs and problems growing out of those needs;
- (4) The Planning Board is permitted by GMO Section 20.1.7.1.3 to Determine objectives to be sought in development of the area;
- (5) The Planning Board is permitted by GMO Section 20.1.7.1.4 to establish principles and policies for guiding action in development of the area;
- (6) The Planning Board is permitted by GMO Section 20.1.7.1.6 to prepare and recommend to the Town Commissioners ordinances promoting orderly development along lines indicated in the comprehensive plan and advise the Town Commissioners concerning proposed amendments of such ordinances;
- (7) The Planning Board is permitted by GMO Section to adopt rules and regulations governing its procedures and operations that are consistent with the provisions of the GMO.

Stan Aeschleman, Chair, Oriental Planning Board